



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,609	05/18/2007	Paul Tapper	0240-002	2242

42015 7590 10/20/2008
POTOMAC PATENT GROUP PLLC
P. O. BOX 270
FREDERICKSBURG, VA 22404

EXAMINER

ESTRADA, ANGEL R

ART UNIT	PAPER NUMBER
----------	--------------

2831

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

10/20/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

tammy@ppglaw.com

Office Action Summary	Application No. 10/590,609	Applicant(s) TAPPER, PAUL	
	Examiner Angel R. Estrada	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-39 is/are rejected.
- 7) ☒ Claim(s) 40-50 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/24/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed August 24, 2006 has been considered by the Examiner.

Claim Objections

2. Claim 39 is objected to because of the following informalities:

Claim 39 lines 1-2, "the flexible portions", lacks antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 26-32, 38 and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Uchida (US 6,341,405).

Regarding claim 26, Uchida discloses a core (10) for supporting a covering of a cable entry device (1), comprising at least one axially extending intermediate portion (10b) connected to a flange (10a), and means (10c) for instantly locking the core to a surrounding material when inserted into a hole thereof (see figure 1).

Regarding claim 27, Uchida discloses the core (10), wherein the locking means (10c) comprises detents (10e).

Regarding claim 28, Uchida discloses the core (10), wherein the flange (10a) and the detents (10e) have opposing support surfaces (see figure 2).

Regarding claim 29, Uchida discloses the core (10), wherein the support surfaces of the flange (10a) and the detents (10e) are parallel (see figure 2).

Regarding claim 30, Uchida discloses the core (10), further comprising a flexible portion (see figure 1) extending from a first end towards a second end of the intermediate portion (10b), wherein the detents (10e) are provided at a second end of the flexible portion (see figure 2).

Regarding claim 31, Uchida discloses the core (10), wherein a thickness of the flexible portion (see figure 2) at a base thereof is less than the thickness of a remaining portion of the flexible portion (see figure 2).

Regarding claim 32, Uchida discloses the core (10), wherein the flange (10a) is connected to a first end of the intermediate portion (10b), the detents (10d) are connected to a second end of the intermediate portion (10b), and the detents (10e) extend outwardly towards a periphery of the flange (see figure 2).

Regarding claim 38, Uchida discloses the core (10), wherein at least the intermediate portion (12) is enclosed by a flexible covering (1, see figure 1).

Regarding claim 39, Uchida discloses the core (10), wherein the flexible covering (1) encloses the flexible portions (see figure 1).

Art Unit: 2831

4. Claims 26-29 and 32-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Humber (US 5,702,076).

Regarding claim 26, Humber discloses a core (10) comprising at least one axially extending intermediate portion (12) connected to a flange (14), and means (16) for instantly locking the core to a surrounding material when inserted into a hole thereof (see figure 6).

Note: it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. Ex parte Masham, 2 USPQ2d 1647 (1987). Therefor this limitation “for supporting a covering of a cable entry device, has not being given any patentable weight.

Regarding claim 27, Humber discloses the core (10), wherein the locking means (16) comprises detents (see figure 1).

Regarding claim 28, Humber discloses the core (10), wherein the flange (14) and the detents have opposing support surfaces (see figure 1).

Regarding claim 29, Humber discloses the core (10), wherein the support surfaces of the flange (14) and the detents (16) are parallel (see figure 1).

Regarding claim 32, Hunter discloses the core (10), wherein the flange (14) is connected to a first end of the intermediate portion (12), the detents (16) are connected to a second end of the intermediate portion (12), and the detents (16) extend outwardly towards a periphery of the flange (14).

Regarding claim 33, Hunter discloses the core (10) , further comprising means (18) for providing strain relief.

Regarding claim 34, Hunter discloses the core (10), wherein the means (18) for providing strain relief comprises flexible tongues extending radially towards a center of the core and in a direction for insertion of the cable into the core (see figure 1).

Regarding claim 35, Hunter discloses the core (10), wherein the tongues have alternating lengths.

Regarding claim 36, Hunter discloses the core (10), wherein the means (18) for providing strain relief is connected to an inner circumference of the intermediate portion (12, see figure 1).

Regarding claim 37, Hunter discloses the core (10) wherein the means (18) for providing strain relief is detachably connectable to the core (see figure 1).

Allowable Subject Matter

5. Claims 40-50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: The primary reasons for the indication of the allowability of claims 40-50 are:

Regarding claim 40, the prior art does not teach or fairly suggest in combination with the other claimed limitations the core, wherein the flexible covering comprises a lip for enclosing the means for providing strain relief.

Art Unit: 2831

Regarding claim 41, the prior art does not teach or fairly suggest in combination with the other claimed limitations the core wherein the covering comprises an entry having an internal surface extending in a longitudinal direction of the core for abutting against a cable when inserted through the entry, and the entry is supported by the core when compressed.

Regarding claim 42-50, the prior art does not teach or fairly suggest in combination with the other claimed limitation, wherein the covering comprises first and second sealing members for receiving surrounding material therebetween formed by a recess in an outer periphery of the covering, and means for temporarily receiving the second sealing member during insertion of the cable entry device into a hole of the surrounding material.

These limitations are found in claims 40-50, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tsukamoto et al (US 7,420,125), Katayama (US 7,100,237), Oikawa et al (US 4,839,937), Tanaka et al (US 5,337,447), Wright (US 5,732,440) and Pyron et al (US 7,332,678) disclose a core for supporting a covering of a cable entry device.

Art Unit: 2831

7. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) OR 571-272-1000.

October 9, 2008

/Angel R. Estrada/

Primary Examiner, Art Unit 2831